

MONDAY, MAY 8, 1989

FORTY-THIRD LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Rev. Ken Uselton, Pastor, Tulip Street United Methodist Church, Nashville, Tennessee.

Representative Bill Purcell led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 96

Representatives present were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

The Speaker announced that Representative U. A. Moore (Shelby) was excused because of personal illness.

BILL RETURN REQUESTED

Pursuant to Rule No. 54, Rep. Gunnels moved that the Clerk request the return of Senate Bill No. 860 from the Senate, which motion prevailed.

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RULES SUSPENDED

Rep. Naifeh moved to suspend Rule No. 81(1), relative to the time for placing bills on notice in Committee, so that House Bill No. 1055 can be heard by the State and Local Government Committee on Tuesday, May 9, 1989, which motion prevailed.

RULES SUSPENDED

Rep. Starnes moved to suspend Rule No. 81(1), relative to the time for placing bills on notice in Committee, so that House Bill No. 889 can be heard by the State and Local Government Committee on Tuesday, May 9, 1989, which motion prevailed.

BILL RETURN REQUESTED

Pursuant to Rule No. 54, Rep. Naifeh moved that the Clerk request the return of Senate Bill No. 378 from the Senate, which motion prevailed.

REGULAR CALENDAR

*House Bill No. 0001 -- Taxes, Excise -- Exempts sale of certain livestock. Amends TCA, Title 67, Ch. 4.

On motion, House Bill No. 1 was made to conform with Senate Bill No. 791.

On motion, Senate Bill No. 791, on same subject, was substituted for House Bill No. 1.

Rep. Phillips moved that Senate Bill No. 791 be passed on third and final consideration.

Rep. Stallings moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 791 by deleting Section 2 in its entirety and substituting instead:

This act shall take effect upon becoming law, the public welfare requiring it, and shall apply to all affected transactions occurring since January 1, 1982.

On motion, Amendment No. 1 was adopted.

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Thereupon, Rep. Phillips moved that Senate Bill No. 791, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	90
Noes.	0
Present and not voting.	2

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, L. (Shelby), Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 90.

Representatives present and not voting were: Burnett, Herron -- 2.

A motion to reconsider was tabled.

House Bill No. 1321 -- Sunset Laws -- Accelerates termination of health facilities commission. Amends TCA, Title 4, Ch. 29, Pt. 2.

Further consideration of House Bill No. 1321, previously considered on April 10, April 12 and April 20, 1989, at which time it was reset to the Calendar for May 8, 1989.

Rep. Garrett moved that House Bill No. 1321 be re-referred to the Calendar and Rules Committee, which motion prevailed.

House Bill No. 1376 -- County Government -- Permits members of local legislative bodies employed by local governments to vote on matters affecting them. Same as *SB 526. Amends TCA, Title 12, Ch. 4.

Further consideration of House Bill No. 1376, previously considered on April 20 and April 24, 1989, at which time it was reset to the Calendar for May 8, 1989.

On motion, House Bill No. 1376 was made to conform with Senate Bill No. 215.

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On motion, Senate Bill No. 215, on same subject, was substituted for House Bill No. 1376.

Rep. Burnett moved that Senate Bill No. 215 be passed on third and final consideration.

Rep. U. Jones moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 215 by adding the following new appropriately designated section immediately before the effective date section and renumbering such section accordingly:

SECTION ____ Tennessee Code Annotated, Section 12-4-605, is amended by deleting the period at the end of the first sentence thereof and by adding the following:

, or thereafter if the amount involved in any of the activities specified in subdivisions (b)(1) through (8) of Section 12-4-602 was one thousand dollars (\$1,000) or less.

On motion, Amendment No. 1 was adopted.

Rep. Duer moved to amend as follows:

Amendment No. 2

AMEND Senate Bill No. 215 by deleting from the amendatory language of Section 2 of the bill, as amended by the Senate, the words and punctuation "member of a local governing body, or other person" and by substituting instead the words and punctuation ", or any person other than a member of a local governing body of a county or municipality".

AND FURTHER AMEND by deleting Section 3 of the bill, as amended by the Senate, and by substituting instead the following:

SECTION 3. Tennessee Code Annotated, Section 12-4-101, is amended by deleting subsection (c) and by substituting instead the following:

(c)

(1) Any member of a local governing body of a county or a municipality who is also an employee of such county or municipality and whose employment predates his initial election or appointment to the governing body of the county or municipality may vote on matters in which he has a conflict of interest if the member informs the

governing body immediately prior to the vote as follows: "Because I am an employee of (name of governmental unit), I have a conflict of interest in the proposal about to be voted. However, I declare that my argument and my vote answer only to my conscience and to my obligation to my constituents and the citizens this body represents". The vote of any such member having a conflict of interest who does not so inform the governing body of such conflict shall be void if challenged in a timely manner. As used in this subdivision, "timely manner" means during the same meeting at which the vote was cast and prior to the transaction of any further business by the body.

(2) Any member of a local governing body of a county or a municipality who is also an employee of such county or municipality and whose employment began on or after the date of which he was initially elected or appointed to serve on the governing body of the county or municipal shall not vote on matters in which he has a conflict of interest.

(3) In the event a member of a local governing body of a county or a municipality has a conflict of interest in a matter to be voted upon by the body, he may abstain for cause by announcing such to the presiding officer. Any member of a local governing body of a county or municipality who abstains from voting for cause on any issue coming to a vote before the body, shall not be counted for the purpose of determining a majority vote.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Burnett moved that Senate Bill No. 215, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	2

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrell, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holt, Huskey, Jackson, Jones, R.

(Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

Representatives voting no were: Holcomb, Hubbard -- 2.

A motion to reconsider was tabled.

*House Bill No. 0355 -- Telecommunications -- Regulates operator assisted telephone services. Amends TCA 47-18-104; Title 65, Ch. 5, Pt. 2.

Further consideration of House Bill No. 355, previously considered on April 26 and May 1, 1989, at which time the motion was made to adopt Amendment No. 1 and the bill was reset to the Calendar for May 8, 1989.

Rep. Miller moved that House Bill No. 355 be passed on third and final consideration.

Rep. Miller renewed his motion to amend as follows:

Amendment No. 1

Amend House Bill No. 355 by deleting in its entirety the language of subsection (a) of Section 1 and by substituting the following in lieu thereof:

(a) any telephone carrier offering or providing operator assisted services in Tennessee whose intrastate rates exceed by more than five percent (5%) the maximum rates approved by the Tennessee Public Service Commission (TPSC) or whose interstate rates exceed by more than five percent (5%) the maximum rates approved by the Federal Communications Commission (FCC) shall before providing the service;

- (1) identify, by name, the carrier providing the service;
- (2) state all applicable charges for providing the service;
- (3) offer to switch the customer to the carrier of his choice offering operator assisted services and inform the customer that the switch shall be made without charge.

Section 1 is further amended by deleting the phrase "based on the carrier's cost of providing service" from subsection (b)(3); by adding the phrase or "00" in subsection (b)(1) after the phrase "dialing 0"; and by adding the following language to subsection (b)(2):

If, however, the intrastate, operator-assisted call is billed to an address outside Tennessee, the maximum rate applicable to the carrier under subsection (a) may include a surcharge representing the difference, if any, between the billing and collection rates charged by local exchange carriers in Tennessee and the rates charged by local exchange carriers in other states. Any such surcharge must be approved by the TPSC.

The bill is further amended by deleting Section 3 and substituting the following in lieu thereof:

Section 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

And further amend by adding the following:

Section 4. This act shall take effect upon becoming law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Miller moved that House Bill No. 355, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Naifeh, Napier, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C.

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(Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

House Bill No. 1099 -- Salaries and Benefits -- Rivises salary levels of certain public officials. Amends TCA, Title 8, Ch. 23.

Further consideration of House Bill No. 1099, previously considered on May 1, 1989, at which time the House adopted Amendment No. 1, made the motion to adopt Amendment No. 2, then reset the bill to the Calendar for May 8, 1989.

Rep. Wheeler moved that House Bill No. 1099 be passed on third and final consideration.

Rep. Rhinehart moved that the motion to adopt Amendment No. 2, previously filed, be withdrawn, which motion prevailed.

Rep. Scruggs moved to amend as follows:

Amendment No. 3

Amend House Bill No. 1099 by redesignating Section 5 to be Section 6 and by adding a new Section 5, as follows:

Section 5. Notwithstanding the provisions of Tennessee Code Annotated, Title 2, Chapter 5 or Section 65-1-101, as the term of each incumbent member of the public service commission expires, his successor shall be elected by a majority vote of the members of the general assembly meeting in joint convention at the same time as the constitutional officers are elected.

Rep. Wheeler moved that Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes.	53
Noes.	39
Present and not voting.	1

Representatives voting aye were: Armstrong, Bell, Bragg, Buck, Burnett, Byrd, Cain, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), DeBerry, DePriest, Dixon, Ellis, Gaia, Garrett, Givens, Good, Herron, Hillis, Holt, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Miller, Moore (Lawrence), Naifeh, Napier, Odom, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Stallings, Starnes, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Mr. Speaker Murray -- 53.

Representatives voting no were: Anderson, Bittle, Bivens, Callicott, Chiles, Clark, Coffey, Copeland, Davis (Cocke), Davis (Knox), Duer, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Holcomb, Hubbard, Huskey, Kent, McDaniel, Moody, Niceley, Nuber, Peroulas, Purcell, Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stamps, Webb, Williams, Wood -- 39.

Representatives present and not voting were: Hobbs -- 1.

Rep. Copeland moved to amend as follows:

Amendment No. 4

Amend House Bill No. 1099 by deleting Section 4 in its entirety and renumbering Section 5 as Section 4.

On motion, Amendment No. 4 was adopted.

Rep. Wheeler moved to amend as follows:

Amendment No. 5

Amend House Bill No. 1099 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, Amendment No. 5 was adopted.

Thereupon, Rep. Wheeler moved that House Bill No. 1099, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	74
Noes.	19

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Clark, Collier, Crain, Cross, Curlee, Davidson, DeBerry, DePriest, Dixon, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Hassell, Henry (Putnam), Herron, Hillis, Holt, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Peroulas,

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Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Yelton, Mr. Speaker Murray -- 74.

Representatives voting no were: Callicott, Chiles, Coffey, Davis (Gibson), Davis (Knox), Duer, Halteman, Harrill, Head, Henry (Roane), Hobbs, Holcomb, Hubbard, Nuber, Odom, Scruggs, Sipes, Stamps, Wood -- 19.

A motion to reconsider was tabled.

House Bill No. 1059 -- Equalization Board -- Authorizes nonowner taxpayers to make complaint before the county boards of equalization. Amends TCA, Title 67, Ch. 5.

Further consideration of House Bill No. 1059, previously considered on May 1, 1989, at which time it was reset to the Calendar for May 8, 1989.

Rep. Williams moved that House Bill No. 1059 be passed on third and final consideration.

Rep. Miller moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1059 by deleting Sections 1, and 2, and 3 of the bill and substituting instead the following:

SECTION 1. Tennessee Code, Annotated; Section 67-5-1407, subsection (a), is amended by deleting subdivision (1) in its entirety and substituting the following:

(1) Any taxpayer, or owner of property subject to taxation in the state, shall have the right to make complaint before the county board of equalization on one (1) or more of the following grounds:

(A) The property under complaint has been erroneously classified or subclassified or erroneously assessed for purposes of taxation other than as provided in Tennessee Code Annotated, Section 67-5-212;

(B) The property under complaint has been assessed on the basis of an appraised value that is more than the basis of value provided for in part 6 of this chapter; and

(C) Property other than the property under complaint has been assessed on the basis of appraised values that are less than the basis of value provided for in part 6 of this chapter.

Any taxpayer, or owner, shall have the right to appear in person before any county board of equalization, or by an agent having written authorization, by an attorney, by an agent who is registered with the State Board of Equalization, or by any member of the taxpayer's, or owner's, immediate family. Any county board may permit written appearance and in that event, any subsequent appeal to the State Board of Equalization shall be limited to those grounds made by written appearance before the county board.

SECTION 2. This act shall take effect on becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Williams moved to amend as follows:

Amendment No. 2

Amend House Bill No. 1059 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall only apply in counties having a population of not less than 770,000 nor more than 780,000 according to the 1980 federal census or any subsequent federal census.

On motion, Amendment No. 2 was adopted.

Rep. Williams moved that House Bill No. 1059 be passed on third and final consideration.

Rep. Clark moved to amend as follows:

Amendment No. 3

Amend House Bill No. 1059 by adding the following new section immediately preceding the effective date section and by renumbering the subsequent section accordingly:

Section _____. If any provision of this act or the application thereof to any person or circumstance is held invalid, then all provisions and applications of this act are declared to be invalid and void.

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On motion, Amendment No. 3 was adopted.

Rep. Chiles moved the previous question, which motion prevailed.

Thereupon, Rep. Williams moved that House Bill No. 1059, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	72
Noes.	21
Present and not voting.	2

Representatives voting aye were: Anderson, Armstrong, Bittle, Bivens, Buck, Burnett, Byrd, Cain, Chiles, Clark, Coffey, Collier, Cross, Curlee, Davis (Cocke), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Gaia, Givens, Good, Gunnels, Hassell, Haun, Hawkins, Hillis, Holcomb, Holt, Hubbard, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Napier, Niceley, Nuber, Peroulas, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, Whitson, Williams, Winningham, Wolfe, Yelton, Mr. Speaker Murray -- 72.

Representatives voting no were: Bell, Bragg, Callicott, Crain, Davidson, Duer, Garrett, Halteman, Harrill, Henry (Putnam), Henry (Roane), Herron, Hobbs, Moody, Naifeh, Odom, Phillips, Stallings, West, Wix, Wood -- 21.

Representatives present and not voting were: Davis (Gibson), Head -- 2.

A motion to reconsider was tabled.

House Bill No. 1132 -- Education -- Enacts the "Parent-Teacher Partnership Act of 1989". Amends TCA, Title 49, Ch. 6.

Further consideration of House Bill No. 1132, previously considered on April 24 and May 1, 1989, at which time it was reset to the calendar for May 8, 1989.

On motion, House Bill No. 1132 was made to conform with Senate Bill No. 747.

On motion, **Senate Bill No. 747**, on same subject, was substituted for House Bill No. 1132.

Rep. Turner (Hamilton) moved that Senate Bill No. 747 be passed on third and final consideration.

Rep. Turner (Hamilton) moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 747 at the end of the amendatory language of subsection (b) of Section 1, add the following:

However, these meetings shall not occur during school hours of any day that is counted for purposes of meeting the one hundred eighty (180) days of classroom instruction required by Section 49-6-3004, nor shall such meetings be substituted for a day of classroom instruction. Provided, further, that the preceding restriction on meetings shall not bar any local education agency from scheduling such meetings at a time beyond the six and one-half hour (6 1/2 hrs.) classroom instructional time or during any free time that a teacher might have available during such six and one-half hours (6 1/2 hrs.)

On motion, Amendment No. 1 was adopted.

Rep. Rhinehart moved to amend as follows:

Amendment No. 2

Amend Senate Bill No. 747 at the end of the amendatory language of subsection (b) of Section 1, add the following:

However, these meetings shall not occur during school hours of any day that is counted for purposes of meeting the one hundred eighty (180) days of classroom instruction required by Section 49-6-3004, nor shall such meetings be substituted for a day of classroom instruction.

Rep. Starnes moved that Senate Bill No. 747 be reset to the Calendar for Thursday, May 11, 1989, which motion prevailed.

Senate Bill No. 0958 -- Public Contracts -- Changes type of business eligible for set-aside of portion of public educational procurement funds. Amends TCA 49-3-322, 49-8-114.

Further consideration of Senate Bill No. 958, previously considered on May 1, 1989, at which time the House substituted House Bill No. 176 for Senate Bill No. 958 and reset the bill to the Calendar for May 8, 1989.

Rep. Dixon moved that Senate Bill No. 958 be passed on third and final consideration.

Rep. Dixon moved to amend as follows:

Amendment No. 1

AMEND Senate Bill No. 958 by deleting in the amendatory language of Section 1 the language "as defined in Section 12-3-802".

AND FURTHER AMEND by adding the following language to the end of the amendatory language of Section 1:

For the purposes of this act "small businesses" and "minority owned businesses" shall mean a business which is solely owned, or at least fifty-one percent (51%) of the outstanding stock of which is owned, by a person who is impeded from normal entry into the economic mainstream because of past practices of discrimination based on race, religion, ethnic background, sex or service in the armed forces during the Viet Nam war; provided, however, that it is not the policy of the state to encourage employment outside the home of mothers of minor children.

AND FURTHER AMEND by deleting in the amendatory language of Section 2 the language "as defined in Section 12-3-802".

AND FURTHER AMEND by adding the following language to the end of the amendatory language of Section 2:

For the purposes of this act "small businesses" and "minority owned businesses" shall mean a business which is solely owned, or at least fifty-one percent (51%) of the outstanding stock of which is owned, by a person who is impeded from normal entry into the economic mainstream because of past practices of discrimination based on race, religion, ethnic background, sex or service in the armed forces during the Viet Nam war; provided, however, that it is not the policy of the state to encourage employment outside the home of mothers of minor children.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Dixon moved that Senate Bill No. 958, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	0
Present and not voting.	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson,

Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

Representatives present and not voting were: Severance -- 1.

A motion to reconsider was tabled.

***House Bill No. 1053** -- Motor Vehicles -- Prohibits tinted windows on motor vehicles. Amends TCA 55-9-107.

Rep. Rhinehart moved that House Bill No. 1053 be passed on third and final consideration.

Rep. Robinson (Davidson) moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1053 by deleting Sections 1, 2, and 3 in their entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-9-107, is amended by deleting subsection (a) in its entirety and by substituting instead the following:

(a)

(1) From and after January 1, 1990, it shall be unlawful for any person to operate, upon a public highway, street or road, any motor vehicle registered in this state, in which any window, which has a visible light transmittance equal to, but not less than that specified in the Federal Motor Vehicle Safety Standard No. 205, has been altered, treated or replaced by the affixing, application or installation of any material which:

(A) Has a visible light transmittance of less than thirty-five percent (35%); or

(B) With the exception of the manufacturers standard installed shade band,

reduce the visible light transmittance in the windshield below seventy percent (70%).

(2) Any person who installs window tinting materials for profit, for barter, or for wages and/or commissions shall be defined as a "professional installer" for the provisions of this section, and it shall be unlawful for a professional installer to apply tinting materials to any vehicle so as to cause that vehicle to be in violation of this section.

(3) All professional installers of window tinting materials shall supply and shall affix to the lower right corner of the driver's window an adhesive label, the size and style of which shall be determined by the commissioner of safety, which includes (i) the installer's business name and taxpayer account number as found on that business' Tennessee department of revenue sales and use tax registration certificate, and (ii) the legend "Complies with Tennessee Code Annotated, 55-9-107".

(4) All professional installers of window tinting materials shall supply each customer with a signed receipt for each vehicle to which tinting materials have been applied which includes (i) date of installation, (ii) make, model, paint color, and license plate number and state, (iii) the legend "Complies with Tennessee Code Annotated, 55-9-107, at date of installation", and (iv) the legend "This receipt shall be kept with vehicle registration documents".

(5) The owner of any vehicle in question shall have the burden of proof that such vehicle is in compliance with the provisions of this section.

(6) The provisions of this section shall not apply to the vehicle manufacturer's original equipment which at the time of delivery is in compliance with Federal Motor Vehicle Standard No. 205 - Glazing Materials.

SECTION 2. Tennessee Code Annotated, Section 55-9-107, is amended by deleting subsection (b) in its entirety and by substituting instead the following:

(b) It shall be probable cause for a full time, salaried police officer of this state to detain a motor vehicle being operated on the public roads, streets or highways of this state when he has a reasonable belief

the motor vehicle is in violation of subsection (a)(1), for the purpose of conducting a field comparison test.

SECTION 3. Tennessee Code Annotated, Section 55-9-107, is further amended by adding the following as a new subsection to be appropriately designated:

() It shall be a misdemeanor, punishable by imprisonment in the county jail or workhouse for not more than thirty (30) days, or by a fine not less than fifty dollars (\$50.00), or by both in the discretion of the court, for the operator of a motor vehicle to refuse to submit to the field comparison test when directed to do so by a full time, salaried police officer, or for any person to otherwise violate any provisions of this section.

SECTION 4. Tennessee Code Annotated, Section 55-9-107, is further amended by adding the following as a new subsection to be appropriately designated:

() On or before January 1, 1990, the commissioner of safety shall establish a standardized method and procedure by which law enforcement officers can readily, and with reasonable accuracy, conduct a field comparison test to determine if a motor vehicle's windows are in compliance with this statute.

SECTION 5. This act shall take effect on July 1, 1989, the public welfare requiring it.

Rep. Yelton moved the previous question, which motion prevailed.

Thereupon, Rep. Robinson (Davidson) renewed his motion to adopt Amendment No. 1, which motion prevailed.

Rep. Givens moved to amend as follows:

Amendment No. 2

Amend. House Bill No. 1053 by adding to Section 1(a) the following:

(7) An owner of a vehicle tinted and most recently titled prior to July 1, 1989 may retain and repair with like material existing tint for the duration of his/her ownership of the vehicle, provided that the existing tint was originally applied in compliance with Tennessee law in effect at the time of installation and remains in compliance with Tennessee law in effect at the time of installation. Vehicles with compliance labels or stickers and/or receipts certifying compliance dated prior to July 1, 1989 may be

presumed to be in compliance provided name or receipt matches name on vehicle registration. In the absence of dated compliance documents, the burden of proof to qualify to retain existing tint rests on the owner of a vehicle.

Rep. Hassell moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes.	63
Noes.	28

Representatives voting aye were: Anderson, Bell, Bittle, Bivens, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Curlee, Davidson, Davis (Gibson), DePriest, Duer, Ellis, Good, Gunnels, Hassell, Hawkins, Head, Henry (Putnam), Herron, Hillis, Holcomb, Holt, Jackson, Kent, Kernell, Kisber, McAfee, McDaniel, Miller, Moody, Naifeh, Napier, Nuber, Peroulas, Phillips, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Whitson, Williams, Wix, Wolfe, Wood, Yelton -- 63.

Representatives voting no were: Armstrong, Bragg, Buck, Burnett, Callicott, Cross, Davis (Knox), DeBerry, Dixon, Garrett, Givens, Halteman, Harrill, Henry (Roane), Hubbard, Jones, R. (Shelby), Jones, U. (Shelby), King, Moore (Lawrence), Niceley, Odom, Pinion, Pruitt, Stamps, Turner, L. (Shelby), Wheeler, Winningham, Mr. Speaker Murray -- 28.

Rep. Bell moved the previous question, which motion prevailed by the following vote:

Ayes.	81
Noes.	14

Representatives voting aye were: Anderson, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Clark, Coffey, Collier, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Duer, Gaia, Garrett, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Herron, Hillis, Hobbs, Holcomb, Holt, Huskey, Jackson, Kent, Kernell, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 81.

Representatives voting no were: Armstrong, Callicott, Cross, Deberry, Dixon, Givens, Henry (Roane), Hubbard, Jones R. (Shelby), Jones U. (Shelby), King, Stamps, Turner L. (Shelby), Wheeler -- 14.

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Thereupon, Rep. Rhinehart moved that House Bill No. 1053, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	91
Noes.	6

Representatives voting aye were: Anderson, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Huskey, Jackson, Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 91.

Representatives voting no were: Armstrong, Copeland, Cross, Givens, Hubbard, Winningham -- 6.

A motion to reconsider was tabled.

House Bill No. 0878 -- Motor Vehicles, Titling and Registration -- Removes prohibition on charging for special plates only at time of issuance of plates. Amends TCA, Title 55, Ch. 4.

Rep. Duer moved that House Bill No. 878 be reset to the Calendar for Monday, May 15, 1989, which motion prevailed.

MESSAGE FROM THE SENATE

May 8, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1439; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REGULAR CALENDAR, CONTINUED

*House Bill No. 1293 -- Hotels and Restaurants -- Exempts certain swimming facilities from Hotel, Food Service Establishment and Public Swimming Pool Inspection Act of 1985. Amends TCA, Title 68, Ch. 14.

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On motion, House Bill No. 1293 was made to conform with Senate Bill No. 1439.

On motion, **Senate Bill No. 1439**, on same subject, was substituted for House Bill No. 1293.

Rep. Good moved that Senate Bill No. 1439 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

House Bill No. 1204 -- Children -- Revises proof requirements for closing of child's medical records. Amends TCA 36-6-103.

On motion, House Bill No. 1204 was made to conform with Senate Bill No. 1262.

On motion, **Senate Bill No. 1262**, on same subject, was substituted for House Bill No. 1204.

Rep. Holcomb moved that Senate Bill No. 1262 be passed on third and final consideration.

Rep. Buck moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 1262 by deleting SECTION 1 in its entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 36-6-103 is amended by deleting subsection (b) in its entirety and substituting instead the following:

(b) Any judge having jurisdiction over the custody of such child may close the medical records of the child to the requesting parent upon a showing that the best interests of the child will be harmed if the records are released.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Holcomb moved that Senate Bill No. 1262, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

***House Bill No. 0420** -- Education -- Authorizes LEAs exceeding daily minimum instructional time to receive credit toward meeting such time requirements missed due to dangerous or extreme weather conditions; provides manner in which such days to be used. Amends TCA 49-6-3004.

On motion, House Bill No. 420 was made to conform with Senate Bill No. 1118.

On motion, **Senate Bill No. 1118**, on same subject, was substituted for House Bill No. 420.

Rep. Henry (Putnam) moved that Senate Bill No. 1118 be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes.	95
Noes.	1
Present and not voting.	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

Representatives voting no were: Cain -- 1.

Representatives present and not voting were: Herron -- 1.

A motion to reconsider was tabled.

House Bill No. 0744 -- Taxes, Sales -- Exempts certain purchases by LEAs from sales and use tax. Amends TCA, Title 67, Ch. 6.

Rep. McDaniel moved that House Bill No. 744 be passed on third and final consideration.

Rep. Davidson moved to amend as follows:

Amendment No. 1

Amend House Bill No. 744 by deleting the bill in its entirety and substituting in lieu thereof the following:

SECTION 1. Tennessee Code Annotated, Section 67-6-209, is amended by adding the following new subsection:

(f) The tax imposed by this chapter shall have no application to the use of tangible personal property by employees of any local education agency as defined in Section 49-1-103(1), even when such employees' actions are under the direct or indirect supervision of a construction manager. For purposes of the foregoing, the term "employees of any local education agency" means those persons on the payroll of any local education agency at the time of the use of such tangible personal property irrespective of whether

such employees were employees of the construction manager or any other person prior to or subsequent to such time. No person shall be denied the status of "employee of a local education agency" because of the payment on his or her behalf of any costs or employee benefits by a prior employer or any other person if the local education agency was at the time of the payment of such costs or benefits contractually obligated to reimburse the person or entity making such payments. For purposes of the foregoing, the term "construction manager" means the person engaged by an owner of property to manage, direct, control, supervise, and/or make recommendations as to the proper use of tangible personal property for a property owner but who does not use it's own employees for the actual direct use of such tangible personal property.

SECTION 2. It is the legislative intent that this act shall apply to all claims or cases pending on the effective date hereof together with all such claims or cases arising hereafter. It is further the legislative intent that a good-faith attempt to comply substantially with the provisions of this act shall be sufficient for the purposes of Tennessee Code Annotated, Section 67-6-209(f).

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not effect other provisions or applications of the Act which can be given effect without the invalid provision or application and to that end, the provisions of this act are declared to be separable.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it, and shall be repealed thirty (30) days after taking effect.

On motion, Amendment No. 1 was adopted.

Rep. Shirley moved to amend as follows:

Amendment No. 2

Amend House Bill No. 744 by deleting all the language after the enacting clause and by substituting instead the following:

Section 1. Tennessee Code Annotated, Title 67, Chapter 6, is amended by deleting Part 3 in its entirety.

Section 2. This act shall take effect on July 1, 1989, the public welfare requiring it.

Rep. Nuber moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes.	54
Noes.	38
Present and not voting.	1

Representatives voting aye were: Anderson, Armstrong, Bittle, Bragg, Buck, Burnett, Cain, Chiles, Coffey, Collier, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Duer, Gaia, Givens, Good, Gunnels, Harrill, Hassell, Hawkins, Henry (Roane), Hillis, Holt, Huskey, Jackson, Jones, U. (Shelby), Kent, Kisber, Love, Naifeh, Napier, Niceley, Nuber, Odom, Phillips, Pruitt, Purcell, Rhinehart, Robinson (Hamilton), Robinson (Washington), Scruggs, Sipes, Stallings, Turner (Hamilton), Ussery, Webb, Williams, Wix, Mr. Speaker Murray -- 54.

Representatives voting no were: Bell, Bivens, Byrd, Callicott, Clark, Copeland, Cross, DeBerry, Dixon, Ellis, Haun, Henry (Putnam), Herron, Hobbs, Holcomb, Hubbard, Jones, R. (Shelby), Kernell, King, McAfee, Miller, Moody, Moore (Lawrence), Peroulas, Pinion, Ridgeway, Severance, Shirley, Stamps, Starnes, Turner, C. (Shelby), Turner, L. (Shelby), West, Whitson, Winningham, Wolfe, Wood, Yelton -- 38.

Representatives present and not voting were: Robinson (Davidson) -- 1.

Thereupon, Rep. McDaniel moved that House Bill No. 744, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	91
Noes.	4
Present and not voting.	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wood, Yelton, Mr. Speaker Murray -- 91.

Representatives voting no were: Chiles, Copeland, Herron, Shirley -- 4.

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Representatives present and not voting were: Miller -- 1.

A motion to reconsider was tabled.

House Bill No. 0745 -- County Officers -- Enacts "County Officials Certificate Training Program Act". Amends TCA, Title 8.

On motion, House Bill No. 745 was made to conform with Senate Bill No. 635.

On motion, **Senate Bill No. 635**, on same subject, was substituted for House Bill No. 745.

Rep. Jackson moved that Senate Bill No. 635 be passed on third and final consideration.

CHAIR TO SPEAKER PRO TEMPORE

Mr. Speaker Murray relinquished the Chair to Rep. DeBerry, Speaker Pro Tempore.

REGULAR CALENDAR, CONTINUED

Thereupon, Rep. Jackson moved that Senate Bill No. 635 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	2

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Naifeh, Napier, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

Representatives voting no were: Niceley, Shirley -- 2.

A motion to reconsider was tabled.

*House Bill No. 1268 -- Drugs -- Enacts DARE program of 1989. Amends TCA, Title 40, Ch. 11, Pt. 1.

On motion, House Bill No. 1268 was made to conform with Senate Bill No. 1426.

On motion, Senate Bill No. 1426, on same subject, was substituted for House Bill No. 1268.

Rep. Davis (Gibson) moved that Senate Bill No. 1426 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	89
Noes.	7

Representatives voting aye were: Anderson, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Kent, Kernell, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 89.

Representatives voting no were: Armstrong, Dixon, Jones, R. (Shelby), Jones, U. (Shelby), King, Pruitt, Turner, L. (Shelby) -- 7.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from no to aye on Senate Bill No. 1426 and have this statement entered in the Journal.

Rep. Alvin King

REGULAR CALENDAR, CONTINUED

*House Bill No. 0079 -- Wills, Trusts -- Clarifies certain provisions relative to wills and trusts and recording of certain trust agreements, summaries or abstracts. Amends TCA 26-4-101, 32-1-112, 113, 32-3-105, 66-24-101.

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On motion, House Bill No. 79 was made to conform with Senate Bill No. 113.

On motion, Senate Bill No. 113, on same subject, was substituted for House Bill No. 79.

Rep. Purcell moved that Senate Bill No. 113 be passed on third and final consideration.

Rep. Buck moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 113 by placing a period after the word "public" in the amendatory language of Section 2, and by deleting the remainder of the language.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Purcell moved that Senate Bill No. 113, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 96.

A motion to reconsider was tabled.

***House Joint Resolution No. 0185 --** Memorials, Government Officials -- Directs commissioners of all departments to review forms provided to public for possible streamlining, simplification and standardizing.

Rep. Purcell moved that House Joint Resolution No. 185 be adopted, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 95.

A motion to reconsider was tabled.

*House Bill No. 0650 -- Taxes, Excise -- Includes corporate partner's share of certain partnership assets in determination of certain tax liability. Amends TCA 67-4-811, 67-4-906, 910.

On motion, House Bill No. 650 was made to conform with Senate Bill No. 1185.

On motion, Senate Bill No. 1185, on same subject, was substituted for House Bill No. 650.

Rep. Bragg moved that Senate Bill No. 1185 be passed on third and final consideration.

Rep. Copeland moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 1185 by redesignating subdivision (7) in the amendatory language of Section 1 as subdivision (7)A., and by adding a new subdivision, to be appropriately designated, at the end of the amendatory language of Section 1 as follows:

The provisions of A. above shall only apply, however, if the combined annual payroll and book value of the property of the partnership exceeds one million five hundred thousand dollars (\$1,500,000).

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Bragg moved that Senate Bill No. 1185, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 95.

A motion to reconsider was tabled.

House Bill No. 0817 -- Medicare and Medicaid -- Provides certain unlimited medical assistance for certain medicaid infants. Directs department of human services to reimplement presumptive eligibility for such infants under certain circumstances. Amends TCA, Title 71.

On motion, House Bill No. 817 was made to conform with Senate Bill No. 379.

On motion, **Senate Bill No. 379**, on same subject, was substituted for House Bill No. 817.

Rep. R. Jones moved that Senate Bill No. 379 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Naifeh, Napier, Niceley,

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Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

House Bill No. 0819 -- Teenage Pregnancy -- Codifies responsible adolescent parenting program within department of human services. Amends TCA, Title 71.

On motion, House Bill No. 819 was made to conform with Senate Bill No. 292.

On motion, Senate Bill No. 292, on same subject, was substituted for House Bill No. 819.

Rep. R. Jones moved that Senate Bill No. 292 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 95.

A motion to reconsider was tabled.

*Senate Bill No. 1135 -- Financial Disclosure -- Revises threshold for certain reporting requirements. Amends TCA, Titles 2, 3, 8.

Further consideration of Senate Bill No. 1135, previously considered on May 3, 1989, at which time it was

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substituted for House Bill No. 1107 and the bill was reset to the Calendar for May 8, 1989.

Rep. Herron moved that Senate Bill No. 1135 be passed on third and final consideration.

Rep. Miller moved to amend as follows:

Amendment No. 1

AMEND Senate Bill No. 1135 by adding after Section 3 the following new section and by renumbering the subsequent sections accordingly:

SECTION ____ Tennessee Code Annotated, Section 3-6-102(8) is amended by adding after the second sentence the following language:

"Gift" shall not include the waiver of a registration fee for a conference or educational seminar.

AND FURTHER AMEND by deleting Section 4 in its entirety and by substituting instead the following:

Tennessee Code Annotated, Section 3-6-106(b), is amended by adding the following new subdivision:

() An itemized list by dates, beneficiaries, amounts and circumstances of the transactions of gifts or expenditures with a cumulative total of more than five hundred dollars (\$500) during the reporting period made by a registrant or anyone acting at the specific direction of the registrant to benefit an official in the legislative branch.

AND FURTHER AMEND by deleting Section 6 in its entirety and by substituting instead the following:

Tennessee Code Annotated, Section 3-6-106(b), is amended by adding the following new subdivision:

Any cumulative total of more than fifty dollars (\$50.00) of expenditures during a single week to benefit an official in the legislative branch.

On motion, Amendment No. 1 was adopted.

Rep. Miller moved to amend as follows:

Amendment No. 2

Amend Senate Bill 1135 by adding the following new sections

immediately before the effective date sections and by renumbering the effective date section accordingly.

SECTION _____. Tennessee Code Annotated, Title 2, Chapter 10, is amended by adding the following appropriately numbered new section:

During an annual legislative session a political party caucus of each statewide political party being represented in each house of the general assembly may conduct only one (1) fundraising event. During an annual legislative session, no candidate for or a member of either the house of representatives or the senate may conduct a fundraising event, and during an annual legislative session no such candidate or member may accept a contribution as defined in Tennessee Code Annotated, Section 2-10-102, from any lobbyist or employer of a lobbyist.

SECTION _____. Tennessee Code Annotated, Section 3-6-106(b), is amended by adding the following new subdivision:

() Events where invitations are extended to the entire membership of the general assembly shall be exempt from the reporting requirements of this section.

SECTION _____. Tennessee Code Annotated, Section 3-6-106(b), is further amended by adding the following new subdivision:

() In determining the threshold for the reporting levels required by this chapter for an event attended by more than one (1) official of the legislative branch, a staff member, or immediate family member, a lobbyist may attribute only the actual cost for any gift or expenditure to each such official or member in attendance.

SECTION _____. Tennessee Code Annotated, Section 3-6-106, is amended by adding the following new subsection:

() When the employer of a lobbyist makes a gift or an expenditure to an official in the legislative branch, and the lobbyist has no prior knowledge of such gift or expenditure, such lobbyist shall not be responsible for including such gift or expenditure in the reports required by this chapter.

Rep. C. Turner moved the division of the question on Amendment No. 2, which motion prevailed.

Rep. Kisber moved the adoption of Division No. 1 of Amendment No. 2 as follows:

Division No. 1 of Amendment No. 2

SECTION ____ Tennessee Code Annotated, Title 2, Chapter 10, is amended by adding the following appropriately numbered new section:

During an annual legislative session a political party caucus of each statewide political party being represented in each house of the general assembly may conduct only one (1) fundraising event. During an annual legislative session, no candidate for or a member of either the house of representatives or the senate may conduct a fundraising event, and during an annual legislative session no such candidate or member may accept a contribution as defined in Tennessee Code Annotated, Section 2-10-102, from any lobbyist or employer of a lobbyist.

Rep. C. Turner (Shelby) moved to table Division No. 1 of Amendment No. 2, which motion failed.

Thereupon, Rep. Kisber renewed his motion to adopt Division No. 1 of Amendment No. 2, which motion prevailed.

Rep. Miller moved the adoption of Division No. 11 of Amendment No. 2 as follows:

Division No. 11 of Amendment No. 2

Amend Senate Bill 1135 by adding the following new sections immediately before the effective date sections and by renumbering the effective date section accordingly.

SECTION ____ Tennessee Code Annotated, Section 3-6-106(b), is amended by adding the following new subdivision:

() Events where invitations are extended to the entire membership of the general assembly shall be exempt from the reporting requirements of this section.

SECTION ____ Tennessee Code Annotated, Section 3-6-106(b), is further amended by adding the following new subdivision:

() In determining the threshold for the reporting levels required by this chapter for an event attended by more than one (1) official of the legislative branch, a staff member, or immediate family member, a lobbyist may attribute only the actual cost for any gift or expenditure to each such official or member in attendance.

SECTION _____. Tennessee Code Annotated, Section 3-6-106, is amended by adding the following new subsection:

() When the employer of a lobbyist makes a gift or an expenditure to an official in the legislative branch, and the lobbyist has no prior knowledge of such gift or expenditure, such lobbyist shall not be responsible for including such gift or expenditure in the reports required by this chapter .

On motion, Division No. 11 of Amendment No. 2 was adopted.

Rep. Shirley moved to amend as follows:

Amendment No. 3

Amend Senate Bill No. 1135 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Section 3-6-108, is amended by adding the following new subsections:

() No lobbyist shall accept employment to conduct lobbying from more than two (2) persons during the same period of time.

() No lobbyist shall conduct lobbying for any person other than an individual unless such lobbyist is a member of the partnership, committee, association, corporation, labor organization or other organization or group of persons and such lobbyist is knowledgeable of the person's organization and its goals, principles and structure.

Rep. Herron moved that Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes.	70
Noes.	19
Present and not voting.	2

Representatives voting aye were: Anderson, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Chiles, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Duer, Ellis, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Herron, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Kent, Kernell, Kisber, McAfee, McDaniel, Miller, Moody, Moore (Lawrence),

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Naifeh, Napier, Nuber, Odom, Peroulas, Phillips, Purcell, Rhinehart, Robinson (Washington), Scruggs, Severance, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Webb, West, Wheeler, Whitson, Williams, Wood, Yelton -- 70.

Representatives voting no were: Armstrong, Bell, Callicott, Dixon, Henry (Roane), Hobbs, Jones, R. (Shelby), Jones, U. (Shelby), King, Niceley, Pinion, Ridgeway, Shirley, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Winningham, Wix, Wolfe -- 19.

Representatives present and not voting were: Robinson (Davidson), Robinson (Hamilton) -- 2.

Rep. Dixon moved to amend as follows:

Amendment No. 4

Amend Senate Bill No. 1135 by deleting the amendatory language of the first section added by House State & Local Government Committee Amendment No. 2 to No. 1 and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 2, Chapter 10, is amended by adding the following appropriately numbered new section:

(a) During an annual legislative session a political party caucus of each statewide political party being represented in each house of the general assembly or any other caucus or group of legislators that is incorporated in the state of Tennessee, has applied for tax exempt status under Section 501(c)(3) of the federal internal revenue code, and is affiliated with a national association of similar organizations may conduct only one (1) fundraising event. During an annual legislative session, no candidate for or a member of either the house of representatives or the senate may accept a contribution as defined in Tennessee Code Annotated, Section 2-10-102, from any lobbyist, nor during an annual legislative session may a lobbyist ask any other person, political campaign committee or any other entity to make a contribution to such candidate or member.

Rep. Scruggs moved that, pursuant to Rule No. 13, Senate Bill No. 1135 be set as a special order for Monday, May 15, 1989, as the only bill on the Calendar, and that all bills set on that Calendar be reset to the Calendar for Wednesday, May 17, 1989, which motion prevailed.

MOTION

Rep. Duer moved that House Bill No. 878, previously set to the Calendar for Monday, May 15, 1989, be reset to the Calendar for Wednesday, May 17, 1989, which motion prevailed.

CONSENT CALENDAR

House Bill No. 0617 -- Trusts -- Revises certain trust provisions and the Prudent Man Rule. Amends TCA, Title 35, Ch. 3, 35-3-114, 117; Title 35, Ch. 50.

On motion, House Bill No. 617 was made to conform with Senate Bill No. 150.

On motion, **Senate Bill No. 150**, on same subject was substituted for House Bill No. 617.

House Bill No. 0775 -- Teachers -- Enacts "Education Truth in Reporting and Employee Protection Act of 1989". Amends TCA, Title 49.

House Bill No. 1370 -- Judges and Chancellors -- Reduces time members of appellate nominating commission are ineligible for recommendation to governor for judicial appointment. Amends TCA 17-4-111.

***House Bill No. 1239** -- Insurance Companies, Agents, Brokers -- Redefines covered claim under the Tennessee Insurance Guaranty Association Act. Amends TCA, Title 56, Ch. 12.

On motion, House Bill No. 1239 was made to conform with Senate Bill No. 1364.

On motion, **Senate Bill No. 1364**, on same subject was substituted for House Bill No. 1239.

House Bill No. 0814 -- Mobile Homes and Manufactured Buildings -- Defines "mobile home park" for purposes of property assessments. Amends TCA 67-5-802.

On motion, House Bill No. 814 was made to conform with Senate Bill No. 676.

On motion, **Senate Bill No. 676**, on same subject was substituted for House Bill No. 814.

House Bill No. 0781 -- Taxes, Real Property -- Extends time for reappraisal and equalization programs in certain counties. Amends TCA, Title 67, Ch. 5, Pt. 16.

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***Senate Joint Resolution No. 0201 -- General Assembly, Confirmation of Appointment -- Confirms appointment of John Orr Franklin to State Forestry Commission.**

***Senate Joint Resolution No. 0202 -- General Assembly, Confirmation of Appointment -- Confirms appointment of K. C. Dodson to State Forestry Commission.**

***Senate Joint Resolution No. 0203 -- General Assembly, Confirmation of Appointment -- Confirms appointment of Dr. Fred E. Westbrook to State Forestry Commission.**

***Senate Joint Resolution No. 0204 -- General Assembly, Confirmation of Appointment -- Confirms appointment of W. S. Howard to Tennessee Wildlife Resources Commission.**

***Senate Joint Resolution No. 0205 -- General Assembly, Confirmation of Appointment -- Confirms appointment of Ray Bell to Tennessee Wildlife Resources Commission.**

***Senate Joint Resolution No. 0206 -- General Assembly, Confirmation of Appointment -- Confirms appointment of John A. Jones to Tennessee Wildlife Resources Commission.**

House Resolution No. 0048 -- Memorials, Public Service -- Expresses appreciation to Fisk University Board of Trustees.

House Joint Resolution No. 0370 -- Memorials, Congratulations -- Recognizes Rogersville on the occasion of their 200th anniversary.

House Joint Resolution No. 0371 -- Memorials, Sports -- Honors Coach David Cohea and Jo Byrns High School girls' basketball team, TSSAA Class A State Tournament participants.

House Joint Resolution No. 0381 -- Memorials, Professional Achievement -- Honors Lillian Davis Robinson, 1988-1989 "Silhouette of the Year".

House Joint Resolution No. 0382 -- Memorials, Sports -- Honors Coach David Collie and East Robertson High School boys' basketball, TSSAA Class A State Tournament winners.

House Joint Resolution No. 0383 -- Memorials, Interns and Pages -- Honors Carla Denise Warner, 1989 legislative intern.

House Bill No. 1511 -- Baxter -- Abolishes offices of constable and justice of the peace. Amends Chapter 35, Private Acts of 1915, as amended.

House Bill No. 1513 -- Lexington -- Revises charter. Amends Chapter 402, Acts of 1901, as amended.

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House Bill No. 1514 -- Lexington -- Revises compensation for mayor. Amends Chapter 402, Acts of 1901, as amended.

House Bill No. 1516 -- Centerville -- Revises charter. Amends Chapter 482, Private Acts of 1911, as amended.

Senate Joint Resolution No. 0250 -- Memorials, Retirement -- Honors Walter Perry upon retirement from the Tennessee State Prison vocational instruction program.

Senate Joint Resolution No. 0251 -- Memorials, Congratulations -- Honors Stephanie Murphy, elected Speaker of Senate for 1990 4-H Congress.

Senate Joint Resolution No. 0253 -- Memorials, Public Service -- Honors John U. Wilson on service as chairman and member of the State Fair Board.

Senate Joint Resolution No. 0254 -- Memorials, Professional Achievement -- Honors Frank and Eva Varallo, Jr., proprietors of Varallo's on winning Silver Spoon Award.

Senate Joint Resolution No. 0255 -- Memorials, Interns and Pages -- Honors David Ronald Hudgins, 1989 legislative intern.

Senate Joint Resolution No. 0256 -- Memorials, Public Service -- Honors Honorable James M. Swiggart on 23 years of service as Circuit Court Judge of Davidson County.

Senate Joint Resolution No. 0258 -- Memorials, Interns and Pages -- Honors Terence Neil Fails, Jr., 1989 legislative intern.

Senate Joint Resolution No. 0259 -- Memorials, Interns and Pages -- Honors Leanne Pierson Whitis, 1989 legislative intern.

Senate Joint Resolution No. 0260 -- Memorials, Interns and Pages -- Honors Kendra Greene, 1989 legislative page.

OBJECTION -- CONSENT CALENDAR

Objection was filed to the following on the Consent Calendar:

House Bill No. 775 was objected to by Rep. Rhinehart.

House Resolution No. 48 was objected to by Rep. Love.

Under the rules, House Bill No. 775 and House Resolution No. 48 was/were placed at the foot of the calendar for Wednesday, May 10, 1989.

Rep. Kisber moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for

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the appropriate House Bill, and that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes. 97

Noes. 0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE
May 8, 1989

MR. SPEAKER: I am directed to return to the House, House Bill No. 63.

The Senate refused to recede from its action in adopting Amendment(s) No(s). 1.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
May 8, 1989

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 551.

The Senate nonconcurred in House Amendment(s) No(s). 1.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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MESSAGE FROM THE SENATE
May 8, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 596; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
May 8, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 627; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
May 8, 1989

MR. SPEAKER: I am directed to return Senate Bill No. 860, as requested, for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
May 8, 1989

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 1037.

The Senate concurred in House Amendment(s) No(s). 2, and nonconcurred in House Amendment(s) No(s). 1.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

NOTICE TO ACT ON SENATE AMENDMENTS

Pursuant to Rule No. 59, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on Wednesday, May 10, 1989:

House Bill No. 63: Rep. Love.

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Senate Bill No. 551: Rep. Yelton.

Senate Bill No. 860: Rep. Gunnels.

Senate Bill No. 1037: Rep. Yelton.

House Bill No. 1284: Rep. DePriest.

NOTICE TO ACT ON SENATE AMENDMENTS

Pursuant to Rule No. 59, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on Thursday, May 11, 1989:

House Bill No. 1249: Rep. Naifeh.

NOTICE TO ACT ON SENATE AMENDMENTS

Pursuant to Rule No. 59, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on Monday, May 15, 1989:

House Bill No. 596: Rep. Bragg.

House Bill No. 627: Rep. Naifeh.

House Bill No. 770: Rep. Ridgeway.

HOUSE BILL RE-REFERRED

Rep. Starnes moved that House Joint Resolution No. 292 be recalled from the General Welfare Committee and referred to the Calendar and Rules Committee, which motion prevailed.

HOUSE BILL RE-REFERRED

Rep. Starnes moved that House Joint Resolution No. 302 be recalled from the General Welfare Committee and referred to the Calendar and Rules Committee, which motion prevailed.

HOUSE BILL RE-REFERRED

Rep. King moved that House Bill No. 1169 be recalled from the Government Operations Committee and referred to the Calendar and Rules Committee, which motion prevailed.

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RULES SUSPENDED

Rep. DePriest moved the rules be suspended for the immediate introduction of House Joint Resolution No. 390 out of order, and further moved that the resolution be referred to the Transportation Committee, which motions prevailed.

House Joint Resolution No. 0390 -- Highway Signs -- Designates certain bridge spanning Elk River in Giles County as Hargrove Johnson Memorial Bridge. by *Depriest.

BILLS WITHDRAWN

On motion of Rep. Coffey, House Bill No. 1086 was recalled from the Commerce Committee.

On motion of Rep. Coffey, House Bill No. 1086 was withdrawn from the House.

RULES SUSPENDED

Rep. Wheeler moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 394 out of order, which motion prevailed.

House Joint Resolution No. 0394 -- Memorials, Personal Achievement -- Congratulates Cindy Hutchison Steine on graduation from Belmont College. by *Wheeler, *Burnett.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Wheeler, the resolution was adopted.

A motion to reconsider was tabled.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 196: Rep(s). Pinion and Ridgeway added as prime sponsor(s).

House Bill No. 487: Rep(s). Henry Dwight added as prime sponsor(s).

House Bill No. 817: Rep(s). Jackson added as prime sponsor(s).

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House Bill No. 1132: Rep(s). Bittle added as prime sponsor(s).

House Bill No. 1523: Rep(s). Callicott added as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep. Peroulas was removed as sponsor of House Bill No. 1099.

ANNOUNCEMENTS

The Clerk announced that the Special Joint Committee on Hazardous Waste, pursuant to House Joint Resolution No. 205 and House Joint Resolution No. 547 of the 95th General Assembly, has completed its work and filed its report with the Clerk's office.

INTRODUCTION OF RESOLUTIONS

House Resolution No. 0051 -- Memorials, Interns and Pages -- Honors Jama Michelle Phillips, 1989 legislative intern. by *Stallings, *DePriest, *Hobbs.

The Speaker referred House Resolution No. 51 to the Calendar and Rules Committee.

House Resolution No. 0053 -- Memorials, Personal Occasion -- Congratulations J.C. and Ellen Patterson on the celebration of their fiftieth wedding anniversary. by *Wheeler, *Coffey, *Cross.

The Speaker referred House Resolution No. 53 to the Calendar and Rules Committee.

House Joint Resolution No. 0384 -- Memorials, Interns and Pages -- Honors Anne-Marie Speight, 1989 legislative intern. by *Cain.

The Speaker referred House Joint Resolution No. 384 to the Calendar and Rules Committee.

House Joint Resolution No. 0385 -- Memorials, Sports -- Honors Coach Mel Brown, McGavock High School Baseball Coach on his 500th win. by *West, *Purcell.

The Speaker referred House Joint Resolution No. 385 to the Calendar and Rules Committee.

House Joint Resolution No. 0387 -- Memorials, Government Officials -- Requires report on department of human services employee turnover and workload. by *King.

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The Speaker referred House Joint Resolution No. 387 to the Labor and Consumer Affairs Committee.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Senate Joint Resolution No. 0261 -- Memorials, Recognition and Thanks -- Commends Richard A. Staub.

The Speaker referred Senate Joint Resolution No. 261 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0265 -- Memorials, Retirement -- Honors W. B. Dunbar on occasion of retirement.

The Speaker referred Senate Joint Resolution No. 265 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0266 -- Memorials, Sports -- Honors East Robertson High School boy's basketball coach David Collie and player Carlus Groves.

The Speaker referred Senate Joint Resolution No. 266 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0267 -- Memorials, Sports -- Honors Coach David Collie and East Robertson High School boys' basketball team on winning TSSAA Class A state tournament.

The Speaker referred Senate Joint Resolution No. 267 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0268 -- Memorials, Sports -- Congratulates Warren County Junior High School freshman cheerleaders on fine season.

The Speaker referred Senate Joint Resolution No. 268 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0282 -- Memorials, Professional Achievement -- Congratulates Hank Williams, Jr. on being selected ACM Entertainer of the Year for third consecutive year.

The Speaker referred Senate Joint Resolution No. 282 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0283 -- Memorials, Recognition and Thanks -- Commends "Pete" Kirby for his work as "Bashful Brother Oswald" at the Grand Ole Opry.

The Speaker referred Senate Joint Resolution No. 283 to the Calendar and Rules Committee.

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INTRODUCTION OF BILLS

House Bill No. 1531 -- Henderson -- Revises qualifications for holding office. Amends Chapter 198, Acts of 1901, as amended. by *Stallings, *Sipes.

Passed first consideration.

House Bill No. 1532 -- School Districts, Special -- Revises tax rate in Trenton special school district. Amends Chapter 144, Private Acts of 1975, as amended. by *Davis Ray.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

***Senate Bill No. 0264** -- Fund Raising -- Provides for employment of coordinator of volunteer public education trust fund. Amends TCA, Title 49, Ch. 3, Pt. 4.

Held on the Clerk's desk pending third consideration of companion House Bill No. 600.

Senate Bill No. 0293 -- Race Relations -- Provides for appointment of racial minorities to the health facilities commission and to the board for licensing health care facilities. Amends TCA, Title 68.

Held on the Clerk's desk pending third consideration of companion House Bill No. 201.

***Senate Bill No. 0456** -- Banks and Financial Institutions -- Permits banks to receive compensation for furnishing data regarding bank customers to insurance providers. Amends TCA 56-6-149, 56-6-201.

Held on the Clerk's desk pending third consideration of companion House Bill No. 830.

Senate Bill No. 0573 -- Boards and Commissions -- Revises certain fees prescribed by certain agencies, boards and commissions. Amends TCA, Title 4, Ch. 3, Pt. 13; Title 56, Ch. 1, Pt. 3; Titles 62, 63.

Held on the Clerk's desk pending third consideration of companion House Bill No. 195.

Senate Bill No. 0575 -- Boards and Commissions -- Revises expiration dates of certain certificates and licenses issued by certain boards and commissions. Amends TCA, Title 4, Ch. 3, Pt. 13; Title 56, Ch. 1, Pt. 3; Titles 62, 63.

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Held on the Clerk's desk pending third consideration of companion House Bill No. 194.

***Senate Bill No. 0622 -- Real Property -- Establishes method of determining effective date of conveyances of real property.**

Held on the Clerk's desk pending third consideration of companion House Bill No. 735.

***Senate Bill No. 0750 -- Animals -- Revises regulation of exotic animals. Amends TCA, Title 70, Ch. 4, Pt. 4.**

Held on the Clerk's desk pending third consideration of companion House Bill No. 1209.

***Senate Bill No. 0899 -- Jails, Local Lock-ups -- Empowers sheriffs to issue release citations under certain circumstances. Amends TCA, Title 40, Ch. 7.**

Held on the Clerk's desk pending third consideration of companion House Bill No. 1043.

***Senate Bill No. 1203 -- Taxes, Sales -- Exempts "cooperative direct mail advertising" from sales tax. Amends TCA, Title 67, Ch. 6.**

Held on the Clerk's desk pending third consideration of companion House Bill No. 755.

Senate Bill No. 1367 -- Dams -- Creates West Fork-Drake's Creek Dam and Reservoir Interstate Authority. Amends TCA, Title 12, Ch. 9; Title 64, Ch. 1.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1217.

Senate Bill No. 1519 -- Tennessee Wildlife Resources Agency -- Permits acquisition of certain upland hardwood forests known as "Koppers Properties". Amends TCA, Title 11, Ch. 14, Pt. 4, 67-4-409.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1500.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 1517 -- Hardeman County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 1518 -- Bedford County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

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***House Bill No. 1519 -- Water Pollution --** Passed second consideration and referred to the Conservation and Environment Committee.

House Bill No. 1520 -- Portland -- Passed second consideration and referred to the held on Clerk's desk pending approval by local delegation.

House Bill No. 1521 -- Sumner County -- Passed second consideration and referred to the held on Clerk's desk pending approval by local delegation.

House Bill No. 1522 -- Oneida -- Passed second consideration and referred to the held on Clerk's desk pending approval by local delegation.

House Bill No. 1526 -- Lincoln County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 1527 -- Marshall County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 1528 -- Johnson City -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 1529 -- Bradley County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 1530 -- Hamilton County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

ENROLLED BILLS

May 4, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 626, 652, 1079, 1110, 1479, 1486, 1501, 1503, 1506 and 1510; House Resolution(s) No(s). 52; and House Joint Resolution(s) No(s). 108, 123, 310, 314, 318, 331, 332, 343 and 386; and find same correctly enrolled and ready for the signature(s) of the Speaker(s).

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

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SIGNED

MAY 4, 1989

The Speaker announced that he had signed the following: House Resolution(s) No(s). 52.

SIGNED

May 8, 1989

The Speaker announced that he had signed the following: House Bill(s) No(s). 626, 652, 1079, 1110, 1479, 1486, 1501, 1503, 1506 and 1510; and House Joint Resolution(s) No(s). 108, 123, 310, 314, 318, 331, 332, 343 and 386.

ENROLLED BILLS

May 8, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills(s) No(s). 1343; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

SIGNED

May 8, 1989

The Speaker announced that he had signed the following: House Bill(s) No(s). 1343.

MESSAGE FROM THE SENATE

May 8, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1343; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

May 8, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 293; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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Senate Joint Resolution No. 0293 -- Memorials, Public Service -- Honors Troopers Richard Austin and Fidencio Medina for their role in confiscation of cocaine in Dickson County.

MESSAGE FROM THE SENATE

May 8, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 256, 639, 645, 823, 869, 996, 1126, 1171 and 1422; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

May 8, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 744 and 1053; and House Joint Resolution(s) No(s). 185; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 8, 1989

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 313, 317, 319, 321, 322, 323, 324, 326, 328, 330, 335, 336, 338, 339, 340, 341, 352 and 356; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

May 8, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 781, 1370, 1511, 1513, 1514 and 1516; and House Joint Resolution(s) No(s). 370, 371, 381, 382, 383 and 394; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

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MESSAGE FROM THE SENATE

May 8, 1989

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 378, as requested.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

May 8, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1508; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

May 8, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 355, 1059 and 1099; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 8, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 102, 269, 271, 272, 276, 280, 281, 284, 285 and 286; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

*Senate Joint Resolution No. 0102 -- Memorials, Government Officials -- Directs Department of Transportation and Office of Minority Business Enterprise to effect expansion of training programs for disadvantaged business enterprises.

Senate Joint Resolution No. 0269 -- Memorials, Public Service -- Honors P.K. Seidman for contributions to Memphis and Tennessee.

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Senate Joint Resolution No. 0271 -- Memorials, Condolence -- Honors memory of Jack E. Thompson, Jr., gunner's mate aboard USS Iowa.

Senate Joint Resolution No. 0272 -- Memorials, Sports -- Honors Coach Jim Crowder on selection as Tennessee Coach of the Year.

Senate Joint Resolution No. 0276 -- Memorials, Recognition and Thanks -- Honors Buddy Killen, renown music publisher.

Senate Joint Resolution No. 0280 -- Memorials, Interns and Pages -- Honors Paul Krivecka, 1989 legislative intern.

Senate Joint Resolution No. 0281 -- Memorials, Professional Achievement -- Congratulates Pat Rowland, Shelby County Teacher of the Year.

Senate Joint Resolution No. 0284 -- Memorials, Interns and Pages -- Honors Clarke Brannen Futch, 1989 legislative intern.

Senate Joint Resolution No. 0285 -- Memorials, Congratulations -- Congratulates Warren County Senior High School Junior ROTC girls' drill team on fine showing in National Drill Team competition.

Senate Joint Resolution No. 0286 -- Memorials, Sports -- Honors Coach Mike Rader and Happy Valley High School girls' basketball team, TSSAA Class AA runner-up.

MESSAGE FROM THE SENATE
May 8, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 103, 269, 470, 1014, 1315 and 1317; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Bill No. 0103 -- Forest and Forest Products -- Continues existence of 1986 Wetland Acquisition Fund until funds on deposit are expended after tax revenue is repealed. Amends Chapter 833, Public Acts of 1986. Amends TCA, Title 11, Ch. 14, Pt. 4, 67-4-409.

***Senate Bill No. 0269 -- Savings and Loan Associations -- Enacts** "Tennessee Mutual Savings and Loan Holding Company Act".

***Senate Bill No. 0470 -- Accountants -- Revises certain** provisions relative to required examinations to practice accountancy. Amends TCA, Title 62, Ch. 1.

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***Senate Bill No. 1014 -- Taxes, Income -- Enacts Volunteer State Investment Fund Act of 1989. Amends TCA, Title 67, Ch. 2, Pt. 1.**

Senate Bill No. 1315 -- Teenage Pregnancy -- Establishes responsible teen parent pilot project. Amends TCA, Titles 4, 39, 49, 68, 71.

***Senate Bill No. 1317 -- Teenage Pregnancy -- Provides certain state sponsored regional conferences be utilized to increase awareness of services available to address problems of teen pregnancy. Amends TCA, Titles 3, 4, 33, 37, 49, 50, 68, 71.**

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

May 8, 1989

In accordance with **Rule No. 48**, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 1512, 1517, 1518, 1520, 1521, 1526, 1527, 1528, 1529 and 1530.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

May 8, 1989

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Wednesday, May 10, 1989: House Resolution(s) No(s). 51 and 53; House Joint Resolution(s) No(s). 384 and 385; House Bill(s) No(s). 1512, 1517, 1518, 1520, 1521, 1526, 1527, 1528, 1529 and 1530; and Senate Joint Resolution(s) No(s). 261, 265, 266, 267, 268, 282 and 283.

PHILLIPS, Chairman.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee,

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McDaniel, Miller, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

On motion of Rep. Naifeh, the House adjourned until 2:00 p.m., Wednesday, May 10, 1989.